

REMARKS

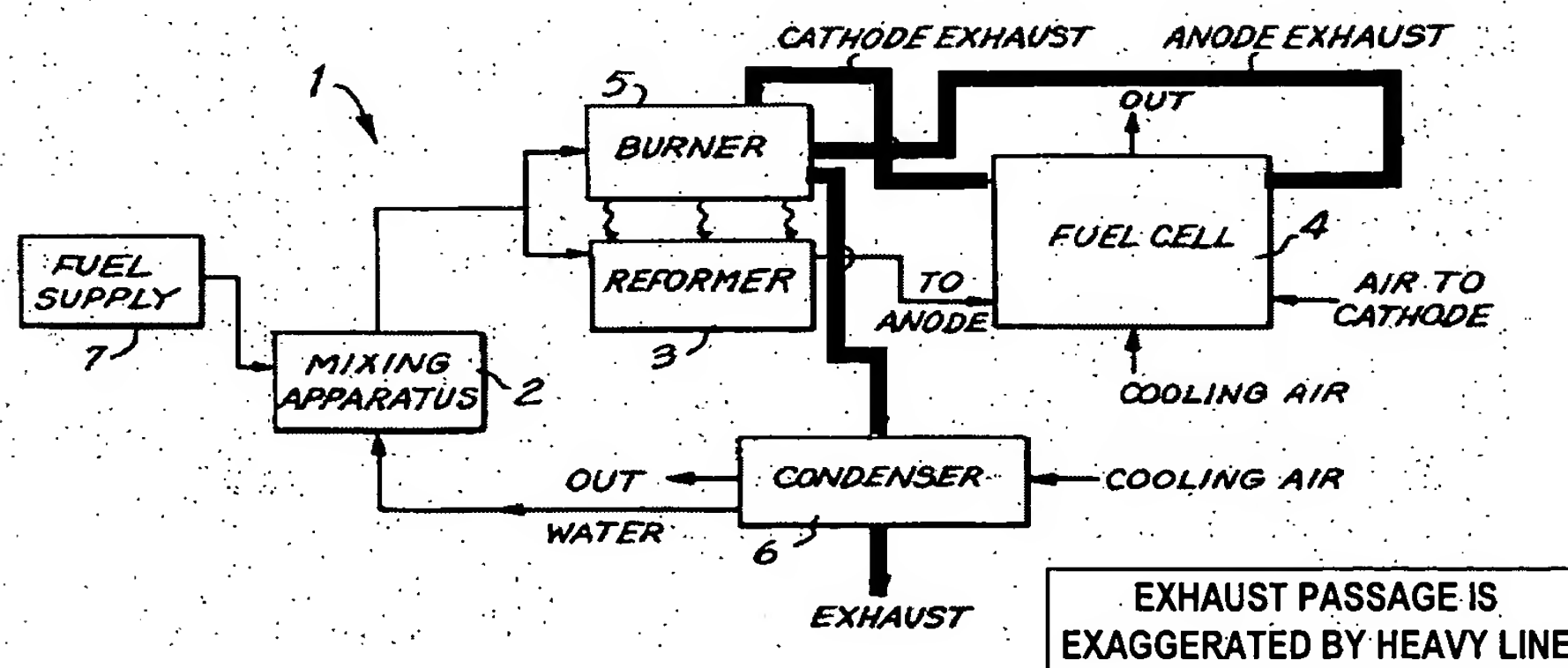
Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

No claims have been amended, added, or deleted. Accordingly, claims 1-13 are submitted for reconsideration. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Applicants appreciate the indication of allowable subject matter in claims 7, 8, and 12.

In the Office Action, claims 1, 3-6, 10, and 11 were rejected under 35 U.S.C. § 102(b) as being anticipated by Abens et al. (U.S. Patent No. 4,585,708). Claim 1 recites that a fuel cell system comprises a fuel cell, an exhaust gas circulation passage which circulates part of an exhaust gas from the fuel cell back to the fuel cell, a vaporizer arranged in the exhaust gas circulation passage, and a fuel injection mechanism which injects liquid fuel into the circulated exhaust gas in the vaporizer, the vaporizer vaporizing the injected fuel.

In the rejection, it was asserted that the cathode exhaust and anode exhaust of Abens correspond to the recited exhaust gas circulation passage. Applicants respectfully disagree with this assertion. In contrast to claim 1, Abens does not disclose or suggest that part of the exhaust gas is circulated from the fuel cell back to the fuel cell. Rather, the system in Abens exhausts the cathode and anode exhaust gases outside of the fuel cell 4 via the burner 5 and condenser 6, as shown in Fig. 1 of Abens, reproduced below.



It was also asserted in the rejection that the reformer 3 of Abens corresponds to the recited vaporizer. Abens does disclose that the reformer 3 generates a fuel process gas from the mixture of liquid fuel and water (col. 2, lines 54-56). However, the reformer 3 generates a fuel process gas by a reforming reaction and does not vaporize the liquid fuel. Rather, the reformer 3 converts the liquid fuel to other substances (i.e., fuel process gas) using a chemical reaction, and is therefore not a vaporizer. Abens therefore fails to disclose or suggest a vaporizer vaporizing the injected fuel as recited in claim 1.

Even if the reformer 3 could be considered a vaporizer, Abens fails to disclose or suggest that it is arranged in the exhaust gas circulation passage. As shown in Fig. 1, the reformer 3, like the fuel cell 4, is provided outside of the exhaust gas passage. The three wavy arrows towards the reformer 3 from the burner 5 merely indicate heat flow between them.

Accordingly, for all of these reasons, claim 1 is patentably distinguishable from Abens. Claims 3-6, 10, and 11 are also patentably distinguishable from Abens by virtue of their dependence from claim 1, as well as their additional recitations.

Claims 2 and 9 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Abens in view of Okamoto (U.S. Patent No. 6,045,933), and claim 13 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Abens in view of Hsu (U.S. Patent No. 5,747,185). Even if combinable, Okamoto and Hsu fail to cure the deficiencies of Abens. Like Abens, Okamoto and Hsu both fail to disclose or suggest an exhaust gas circulation passage which circulates part of an exhaust gas from the fuel cell back to the fuel cell, and a vaporizer arranged in the exhaust gas circulation passage, as recited in claim 1. Accordingly, even if combinable, claims 2, 9, and 13 are patentably distinguishable from the asserted combinations by virtue of their dependence from claim 1, as well as their additional recitations.

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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